

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 18 APR 2002

PCT

Applicant's or agent's file reference P1088WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/23879	International filing date (day/month/year) 30 AUGUST 2000	Priority date (day/month/year) 22 MAY 2000
International Patent Classification (IPC) or national classification and IPC IPC(7): G06F 15/16, 15/178 and US Cl.: 709/217, 219, 225		
Applicant INTERNAP NETWORK SERVICES		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 0 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

EPO - DG 1

10.06.00

(103)

Date of submission of the demand 27 NOVEMBER 2001	Date of completion of this report 22 MARCH 2002
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer KRISNA LIM <i>Krisna Lim</i>
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/23879

I. Basis of the report

1. With regard to the elements of the international application: *

☒ the international application as originally filed
the description:
☒ pages 1-18 _____, as originally filed
pages NONE _____, filed with the demand
pages NONE _____, filed with the letter of _____

☒ the claims:
pages 19-33 _____, as originally filed
pages NONE _____, as amended (together with any statement) under Article 19
pages NONE _____, filed with the demand
pages NONE _____, filed with the letter of _____

☒ the drawings:
pages 1-5 _____, as originally filed
pages NONE _____, filed with the demand
pages NONE _____, filed with the letter of _____

☒ the sequence listing part of the description:
pages NONE _____, as originally filed
pages NONE _____, filed with the demand
pages NONE _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

☒ the description, pages NONE _____
☒ the claims, Nos. NONE _____
☒ the drawings, sheets/fig. NONE _____

5. ☐ This report has been drawn up as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/23879

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. statement**

Novelty (N)	Claims	<u>1-64</u>	YES
	Claims	<u>NONE</u>	NO
Inventive Step (IS)	Claims	<u>1-64</u>	YES
	Claims	<u>NONE</u>	NO
Industrial Applicability (IA)	Claims	<u>1-64</u>	YES
	Claims	<u>NONE</u>	NO

2. citations and explanations (Rule 70.7)

Claims 1-64 meet the criteria set out in PCT Article 35(2)-(4), because the prior art does not teach or fairly suggest a system for directing a network client requesting access to content of a particular web site of one of a plurality of content servers that can provide the content. The system comprises the feature of directing a network client to said one of the content servers based on one or more cost measurements indicative of operational characteristics of the network.

----- NEW CITATIONS -----

US 6,173,322 B1 (HU) 9 JUNE 2001, see an abstract, cols. 2-3.

US 5,751,956 A (KIRSCH) 12 MAY 1998, see the title, an abstract, Figs. 1-4, col. 5.

US 5,991,705 A (KLEIN ET AL.) 25 NOVEMBER 1999, see the title, an abstract, col. 1.

US 6,243,750 B1 (VERMA) 5 JUNE 2001, see the title, an abstract, cols. 7-8.

US 6,343,323 B1 (KALPIO ET AL.) 29 JANUARY 2002, see the title, an abstract, cols. 5-6.

US 5,712,979 A (GRABER ET AL.) 27 JANUARY 1998, see the title, an abstract.

US 5,802,302 A (WACLAWSKY ET AL.) 1 SEPTEMBER 1998, see the title, an abstract.

US 6,158,162 A (PISTRIOTTO ET AL.) 24 OCTOBER 2000, see the title and an abstract.

US 6,067,558 A (WENDT ET AL.) 23 MAY 2000, see col. 1, line 59, to col. 2, line 4.

US 6,195,691 B1 (BROWN) 27 FEBRUARY 2001, see an abstract.